



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	BOARD OF CHARITABLE GAMING
MEETING DATE AND TIME:	Thursday, May 2, 2013 at 1:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
APPROVED:	June 6, 2013

MEMBERS PRESENT

Scott Angelucci, Chairman, Public Member
Francis Gant, DE Volunteer Fireman's Association Member
Tim Winstead, State Lottery Office Member

MEMBERS ABSENT

Sharon McDowell, Vice Chair, Public Member
Janet Williams-Coger, Non-Profit Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Robert Willard, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
James Collins, Division Director
Kay Warren, Deputy Director
Jean Betley, Lead Investigator

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Angelucci called the meeting to order at 1:00 p.m.

Mr. Winstead made a motion, seconded by Mr. Gant, to amend the agenda to add under new business, the discussion of proposed amendments to HB 356 and the discussion of "prize-linked savings" program. The motion carried unanimously.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the meeting minutes of April 4, 2013. Mr. Gant made a motion, seconded by Mr. Winstead, to approve the minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

Final Denials – None

Re-Review of Contingent Approvals and PTD Applications – None

NEW BUSINESS

Proposed Amendments to HB 356 – Kay Warren

Kay Warren stated that members of the Division and the Board meet with the Joint Sunset Committee on Tuesday, April 30, 2013 to discuss amendments to HB 356. Ms. Warren presented the Board with a letter from Warren Jones, Executive Manager of the Delaware Volunteer Firefighters Association, addressing the current Bingo limits. Mr. Angelucci read the letter for the Board.

Mr. Angelucci stated that this request from Mr. Jones would be a one-time change in the legislation. The Board's original thought was that they wanted to have the authority to change the Bingo limits in the Rules and Regulations as they deemed necessary. After further consideration, the Board concluded that they did not wish to have that autonomy and the limits would be best decided by the legislature.

Mr. Winstead stated that this was the opinion of one organization. James Collins replied that according to the letter, the ladies auxiliaries of fire companies' throughout the State of Delaware were polled in order to come up with these suggested limits.

Mr. Collins stated that the Board recently held public workshops in order to determine how the public felt about various issues including the increase of Bingo limits and that the Board appeared to be still in that process. Mr. Collins felt that the legislature wished to have a continued dialogue with the Board as far as setting Bingo limits. Mr. Angelucci stated that his concern with the Board having the full power to make changes in the limits of Bingo was that the dialogue with the legislators would no longer exist and the Board would have to entertain repeated requests from the public to change the limits. Mr. Willard stated that the Board currently had an amendment to give the Board the power to adjust the limits in their Rules and Regulations and perhaps the legislature should keep that power in making the Bingo limit decisions and now the Board had received a suggestion from the Delaware Volunteer Firefighter's Association.

Mr. Gant made a motion, seconded by Mr. Winstead, to amend the position of the Board regarding setting the Bingo limits, in that the Board now believed it was more beneficial for the Board to continue to work with legislatures to set the Bingo prize limits. Additionally, the Bingo prize limit numbers suggested by the Delaware Volunteer Firefighter's Association were a good starting point and the Board supported their suggestion. The motion carried unanimously.

Election of Officers

Mr. Gant made a motion, seconded Mr. Winstead, to nominate Mr. Angelucci for the position of Chair. The motion carried unanimously. Mr. Angelucci made a motion, seconded Mr. Winstead, to nominate Ms. Williams-Coger for the position of Vice-Chair. The motion carried unanimously.

Executive Session – None

Board Member Reports – None

Delegation of Authority – None

Review of Applications for Texas Hold'Em Tournaments – None

Review of Applications for Charitable Gaming Events – None

Review of Applications for Instant Bingo Events

Middletown Loyal Order of Moose Lodge 1295

Mr. Angelucci reviewed and summarized the Instant Bingo application of the Middletown Loyal Order of Moose Lodge 1295. After discussion, Mr. Winstead made a motion, seconded by Mr. Gant, to approve the Instant Bingo application. The motion carried unanimously.

Review of Applications for Bingo Events

Millville Volunteer Fire Company (First Time Applicant)

Georgetown Presbyterian Church (First Time Applicant)

Mr. Angelucci reviewed and summarized the Bingo applications of the Millville Volunteer Fire Company and the Georgetown Presbyterian Church. After discussion, Mr. Winstead made a motion, seconded by Mr. Gant, to approve the Bingo applications. The motion carried unanimously.

Review of Applications for Raffles

Urban Youth Golf Program Association

Mr. Angelucci reviewed and summarized the Raffle application of the Urban Youth Golf Program Association. After discussion, Mr. Gant made a motion, seconded by Mr. Winstead, to approve the Raffle application contingent on receiving an IRS designation letter. The motion carried unanimously.

St. Elizabeth Ann Seton Parish

Little Sisters of the Poor Delaware Inc.

St. Francis Foundation

Mr. Angelucci reviewed and summarized the Raffle applications of the St. Elizabeth Ann Seton Parish, Little Sisters of the Poor Delaware Inc., and St. Francis Foundation. After discussion, Mr. Winstead made a motion, seconded by Mr. Gant, to approve the Raffle applications. The motion carried unanimously.

Delaware Technical & Community College, Educational Foundation

Mr. Angelucci reviewed and summarized the Raffle application of the Delaware Technical & Community College, Educational Foundation. After discussion, Mr. Winstead made a motion, seconded by Mr. Gant, to approve the Raffle application contingent upon receiving a member in charge letter. The motion carried unanimously.

Tri-State Bird Rescue & Research, Inc.

Mr. Angelucci reviewed and summarized the Raffle application of the Tri-State Bird Rescue & Research, Inc. After discussion, Mr. Gant made a motion, seconded by Mr. Winstead, to table the Raffle application. The motion carried unanimously. Ms. McAtee stated that she would contact the organization to clarify the use of funds statement since the organization appeared to operate in numerous states and that the member in charge that the organization selected had in fact been a member of the organization for a minimum of two years as required by the Rules and Regulations.

Review of Requests to Amend Previously Approved Event – None

Inclement Weather/State of Emergency Requests – None

Discussion of “prize-linked savings” program - Robert Willard

Mr. Willard stated that the Delaware Lottery office was requested about a year ago to attend meetings with Mary DuPont from Dare to Dream (D2D) and that she had a “prize-linked savings” program she was interested in facilitating through the Delaware Lottery. The Delaware Lottery office stated that they did not believe they could conduct such a program under their current laws. D2D now believed that through the Delaware charitable gaming laws that they could possibly conduct this program. Mr. Willard stated that he believed that there were several issues with this program and the current Delaware charitable gaming laws. Mr. Angelucci stated that current Delaware charitable gaming laws state that all funds raised must be donated or used for charitable purposes. Mr. Willard stated that he believed that a new law would need to be passed in order to allow this program to run. Mr. Willard stated that he would report back to the Board on any developments with this proposed program.

Ratification of Charitable Gaming Event Permits Issued

Mr. Winstead read aloud the Charitable Gaming ratification list. Mr. Gant made a motion, seconded by Mr. Winstead to ratify the Charitable Gaming licensure of the Delaware Manufactured Home Owners Association, Georgetown Ellendale VFW Post 2931, Metropolitan Community Church, Fraternal Order of Police Lodge 2, Debra L. Sipple Memorial, Inc., Delaware Warriors Travel Baseball Club, Delaware Society for the Prevention of Cruelty to Animals, Vietnam Veterans of America Chapter 546, and Fraternal Order of Police Lodge 9. The motion carried unanimously.

Ratification of Bingo Event Permits Issued

Mr. Winstead read aloud the Bingo ratification list. Mr. Gant made a motion, seconded by Mr. Winstead to ratify the Bingo licensure of the Claymont Fire Company No. 1 Ladies Auxiliary, Bowers Fire Company Ladies Auxiliary, Milford Elks Lodge #2401, Debra Sipple Memorial, Inc., Christiana Fire Company, Lewes Senior Citizens Center, Indian River Senior Center, St. Elizabeth Ann Seton, Holy Cross Church, Job's Daughter International, Bowers Fire Company, Inc., Seaford Elks Lodge # 2458, and the Frederica Volunteer Fire Company. The motion carried unanimously.

Hearings/Consent Agreements

Complaint Assignments and Updates

22-12-12 Dismissed by the AG, Prosecutorial Discretion

22-02-13 Forwarded to the Office of the Attorney General

22-03-13 Forwarded to the Office of the Attorney General

22-04-13 Forwarded to the Office of the Attorney General

Mr. Angelucci stated the complaint statuses as listed above.

Inspection Reports

Nanticoke Memorial Hospital (Bingo)

FOP Lodge 2 Sussex County (Charitable Gaming)

Knights of Columbus 7990 Seton Council (Charitable Gaming)

Mr. Angelucci stated that Nanticoke Memorial Hospital, FOP Lodge 2 Sussex County, and Knights of Columbus 7990 Seton Council were recently inspected. There was no discussion.

Responses to Inspection Letters of Concern/Warning

Elks Lodge #2281

Frederica Spring Creek Lions Club

Frederica Volunteer Fire Company

Cape Henlopen Lodge #2540

Oak Orchard Riverdale American Legion

Mr. Angelucci stated that the Board received inspection response letters from Elks Lodge #2281, Frederica Spring Creek Lions Club, Frederica Volunteer Fire Company, Cape Henlopen Lodge #2540, and Oak Orchard Riverdale American Legion. There was a discussion regarding the letter from the Oak Orchard Riverdale American Legion.

Ms. Betley discussed the current and past inspection reports and response letters from the Oak Orchard Riverdale American Legion. The concern was that the organization was not taking responsibility of the violations and has not offered the Board an explanation on how they will correct the violations. The purpose of the gaming inspectors was to help organizations operate in compliance with the Rules and Regulations established by the Board. The purpose of the inspection response letters were for the organization to address the inspection findings and offer a solution for future events not challenges on the events. Mr. Willard stated that a letter should be sent in response explaining the violations and why the inspectors found them in violation. Ms. Betley stated that she would draft a letter and have Mr. Angelucci approve it before mailing it to the organization.

CORRESPONDENCE

Question from Elaine O'Neill

An organization had questioned Ms. O'Neill if a silent auction could occur during a Bingo event. Mr. Angelucci felt that bids could be placed during the Bingo event as long as the winner(s) were announced at the conclusion of the Bingo event.

Question from Scott Sipple

Mr. Sipple questioned if there was a Raffle event and the winner would not claim their prize what were the legal ramifications. Mr. Willard stated that the prize winner could donate the prize back to the charity. There was nothing in the Statute or Rules and Regulations stating otherwise. The organization must choose a winner of the Raffle, there were no stipulations on what the prize winner could do with the prize won.

PUBLIC COMMENT

Mr. Angelucci stated that he had a discussion with Senator Simpson, Mr. Willard, and Mr. Collins, and concluded the Raffle game begun when tickets were sold and that you cannot sell tickets until the permit is obtained. If tickets were sold outside of the State, that was a violation because ticket sales were part of the Raffle event. The Board cannot condone the violation because it goes against the Board's statute. The Board had no other option but to uphold the Statute as currently written. At this time multi-state participation was not allowed and a new law would have to be drafted to accommodate this.

NEXT MEETING

The next scheduled Board meeting is June 6, 2013 at 1:00 p.m., at 861 Silver Lake Boulevard, Cannon Building Conference Room B, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Gant made a motion, seconded by Mr. Winstead, to adjourn the meeting at 3:05 p.m. The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.

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April 30, 2013

Senator Nicole Poore,

Senator,

We attended the Charitable Gaming Commission Public Hearing on Monday and have an issue we would like to bring to your attention. That issue is the amount of the value of the games, both single game and the entire event. With the passage of the Internet Gambling Bill last year it has made it more difficult for the fire companies to compete.

We need your help. Presently the single game limit is \$250.00 and the entire night limit is \$1250.00. Our ladies auxiliaries are the ones who run the bingos and a committee of the ladies, from their association, have met and decided on these recommendations. They would like to see the single game amount changed to \$350.00 and the entire event changed to \$3000.00. We would also like to see it remain as part of legislation instead of leaving it up to the Gaming Commission.

Since the Sunset Committee is in the process of legislation for the Charitable Gaming Commission, I thought this would be a perfect time to address this issue.

Thank you for your consideration.

Sincerely,

Warren F. Jones
Executive Manager